

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

SYNQOR, INC.

Plaintiff,

v.

CISCO SYSTEMS, INC.,  
Defendant.

Civ. No. 2:14-cv-00286-MHS-CMC

**JURY TRIAL**

**DECLARATION OF DANA O. BURWELL IN SUPPORT OF CISCO'S OBJECTIONS  
TO THE REPORT AND RECOMMENDATION OF THE UNITED STATES  
MAGISTRATE JUDGE (DKT. 181) REGARDING CISCO'S MOTION FOR PARTIAL  
SUMMARY JUDGMENT NO. 3 (DKT. 97)**

I, Dana O. Burwell, hereby declare as follows:

1. I am an attorney admitted to this Court *pro hac vice* and admitted to practice in Massachusetts, under bar number 682413. I am an Associate at the law firm of Wilmer Cutler Pickering Hale and Dorr LLP, counsel for Defendant Cisco Systems Inc. ("Cisco") in the above-captioned matter. I provide this declaration in support of Cisco's Objections To The Report And Recommendation Of The United States Magistrate Judge (Dkt. 181) Regarding Cisco's Motion For Partial Summary Judgment No. 3 (Dkt. 97). I have personal knowledge of the information set forth herein, and I could and would competently testify thereto if called as a witness.

2. Attached hereto as Exhibit 1 is a true and accurate copy of excerpts from the AM Trial Transcript in Civil Action No. 2:07-CV-497, dated December 15, 2010.

3. Attached hereto as Exhibit 2 is a true and accurate copy of slide 18 entitled "End Products Accused of Infringing Claims 21 and 30 of the '021 Patent" and shown as a

demonstrative during the testimony of Dr. Steven Leeb during the trial in Civil Action No. 2:07-CV-497.

4. Attached hereto as Exhibit 3 is a true and accurate copy of slide 19 entitled “End Products Accused of Infringing Claims 21 and 30 of the ’021 Patent” and shown as a demonstrative during the testimony of Dr. Steven Leeb during the trial in Civil Action No. 2:07-CV-497.

5. Attached hereto as Exhibit 4 is a true and accurate copy of excerpts from the transcript of the hearing held in this case on August 14, 2014.

6. Attached hereto as Exhibit 5 is a true and accurate copy of excerpts from the PM Trial Transcript in Civil Action No. 2:07-CV-497, dated December 15, 2010.

7. Yellow highlighting has been added to the foregoing Exhibit pursuant to Local Rule CV-7(b).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: September 18, 2014

/s/Dana O. Burwell  
Dana O. Burwell